

Message Text

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PAGE 01 STATE 301555

41

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INFO AMCONSUL HERMOSILLO PRIORITY

AMCONSUL MAZATLAN PRIORITY

UNCLAS STATE 301555

E.O. 11652: N/A

TAGS: CASC, MX (DEAN, WILLIAM PATRICK)

SUBJECT: CASE REVIEW OF ALL AMERICAN PRISONERS IN MEXICO:
(WILLIAM PATRICK DEAN)

REFERENCE: HERMOSILLO 0862 (NOTAL)

1. IT IS DEPARTMENT'S UNDERSTANDING THAT RELEASE ON FIANZA
OR BAIL NOT APPLICABLE IF ORIGINAL SENTENCE OF FIVE YEARS
OR MORE IS SUBSEQUENTLY REDUCED TO UNDER FIVE YEARS THROUGH
APPEAL PROCESS.

2. IT IS REALIZED THAT SOME FEDERAL DISTRICT ATTORNEYS
ARE APPLYING VARIOUS INTERPRETATIONS TO LAW APPLICABLE TO
FIANZA, I.E., FEDERAL DISTRICT ATTORNEY MAZATLAN APPEARS
TO BE APPEALING ALL SENTENCES UNDER FIVE YEARS, THUS ELIM-
ATING OR POSTPONING POSSIBILITY OF RELEASE ON BAIL. IN
SUCH CASES, IF LOWER SENTENCE SUBSEQUENTLY UPHELD THROUGH
APPEAL, DOES FIANZA PROVISION STILL APPLY? KISSINGER

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Disposition Approved on Date:
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Disposition History: n/a
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